

641—33.13 (17A) Pleadings.

33.13(1) *Pleadings.* Pleadings may be required by rule, by the statement of charges, or by order of the presiding officer.

33.13(2) *Answer.* An answer shall be filed within 20 days of service of the statement of charges.

a. An answer shall:

- (1) Identify on whose behalf it is filed;
- (2) Set forth the name, address and telephone number of the person filing the answer, the person on whose behalf it is filed, and the attorney, if any, representing that person;
- (3) Specifically admit, deny, or otherwise answer all material allegations of the statement of charges; and
- (4) Set forth any facts deemed necessary to show an affirmative defense and contain as many additional defenses as the respondent may claim.

b. Any allegation in the statement of charges not denied in the answer is considered admitted.

c. The presiding officer may refuse to consider any defense not raised in the answer which could have been raised on the basis of facts known when the answer was filed if any party would be prejudiced.

33.13(3) *Amendments.* Any notice of hearing or statement of charges may be amended before a responsive pleading has been filed. Otherwise, a party may amend a pleading only with the consent of the other parties or at the discretion of the presiding officer who may impose terms or grant a continuance.

[ARC 9057B, IAB 9/8/10, effective 10/13/10]